

A.G. Contract No. KR04-1128TRN
ADOT ECS File No. JPA 04-055
Amendment One
Project No.:
Section: SR 66, Peach Springs
Tracs: H6331 01C
Budget Source Item No. 75306

AMENDMENT ONE

INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE STATE OF ARIZONA
AND
THE HUALAPAI TRIBE

THIS AGREEMENT is entered into this date August 19, 2005 Amendment One to JPA 04-055, A.G. Contract No.: KR 04-1128TRN, filed with the Secretary of State under No. 27115 pursuant to Arizona Revised Statutes Sections 11-951 through 11-954, as amended between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the HUALAPAI INDIAN TRIBE acting by and through its TRIBAL COUNCIL, (the "Tribe").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes § 28-401 to enter into this agreement and has by resolution, a copy of which is attached hereto and made part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The Tribe is empowered by Tribal Council Resolution to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the Tribe.

Article I, Recitals, paragraph 4 is deleted and replaced in full as follows:

4. State and the Tribe desire to participate in the design and construction of a new sidewalk, curbing, gutters, trash receptacle, decomposed granite, benches and landscaping in Peach Springs, located on the North and South side of State Route (SR) 66 from Diamond Creek Road, Milepost (MP) 103 west to MP 102.7, hereinafter referred to as the "Project". The parties hereto agree that the Project will be funded using Federal Aid Funds estimated at an amount of **\$335,399.00**. The State agreed to provide the required matching federal funds at 5.7% for the cost of constructing the Project estimated at an amount of **\$20,279.00**. The State will design and construct the Project and the Tribe will be responsible for the maintenance of the Project upon completion. The estimated Project costs are as follows:

THEREFORE, in consideration of the mutual covenants expressed herein, it is agreed as follows:

NO. 27115
Filed with the Secretary of State
Date Filed: 8-19-05

Jenice K. Brewer
Secretary of State

By: [Signature]

Construction & Design	
Total Estimated Construction & Design Costs	\$355673.00
Estimated Federal Aid Funds @ 94.3%	\$335,399.00
Estimated State Matching Funds @ 5.7%	<u>\$ 20,279.00</u>
Total Estimated Cost of the Project	\$355,673.00

EXCEPT AS AMENED herein, ALL OTHER terms and conditions of the original Agreement remain in full force and effect.

HUALAPAI TRIBE**STATE OF ARIZONA**

Department of Transportation

By Charles Vaughn
CHARLES VAUGHN
Chairman

By Susan Tellez
SUSAN TELLEZ
Contract Administrator

ATTEST

By Christine Lee
CHRISTINE LEE
Secretary

JPA 04-055

Amendment One

APPROVAL OF THE HUALAPAI TRIBE

I have reviewed the above referenced intergovernmental Agreement between the DEPARTMENT OF TRANSPORTATION, INTERMODAL TRANSPORTATION DIVISION, and the HUALAPAI TRIBE, an Agreement among public agencies which, has been reviewed pursuant to A.R.S. § 11-951 through § 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the TRIBE under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this 18th day of July, 2005.

Jim - Jeld
Tribe Attorney



OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

TERRY GODDARD
ATTORNEY GENERAL

CIVIL DIVISION
TRANSPORTATION SECTION
WRITER'S DIRECT LINE: 602.542.8855

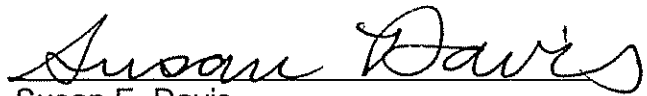
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR04-1128TRN (**JPA 04-055, Amendment One**), an Agreement between public agencies, i.e., *The State of Arizona* and *The Hualapai Tribe*, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: August 15, 2005

TERRY GODDARD
Attorney General


Susan E. Davis
Assistant Attorney General
Transportation Section

SED:mjf
Attachment
919045